

# Notice of Allowability

Application No.

10/030,542

Examiner

Paul D Kim

Applicant(s)

JONES, BARBARA L.

Art Unit

3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/30/2004.
2. ☒ The allowed claim(s) is/are 25-29 and 40-44.
3. ☒ The drawings filed on 10 January 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 7/29/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Lanser on 11/9/2004.

The application has been amended as follows:

#### IN THE CLAIM

Re. Claim 25: After the phrase "isolating" as recited in line 10, change the phrase "matter" to -manner--.

Re. Claims 26-29: Before the phrase "method" in line 1, change the phrase "A' to -The--.

Re. Claim 26: Before the phrase "acoustic emitter" as recited in line 4, change the phrase "the" to -an--.

Re. Claim 40: After the phrase "isolating structure" as recited in line 3, change the phrase "including" to -as--.

Before the phrase "on the proposed position" as recited in line 9, change the phrase "structure" to -the transducer--.

After the phrase "for engaging" as recited in line 9, change the phrase "an associated transducer" as recited in lines 9-10 to -the transducer--.

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Before the phrase "closed position" as recited in line 9, change the phrase "a" to -the--.

Re. Claim 44: Before the phrase "the system" as recited in line 9, change the phrase "with" to -within--.

Cancelled the non-elected claims 30-38.

2. The following is an examiner's statement of reasons for allowance: Upon further consideration with applicant's arguments, examiner agrees with the applicant's counsel that the prior art of record of von Recklinghausen fails to disclose the claimed invention. von Recklinghausen teaches a process of providing the location-defining structure and the isolating structure as a single unitary structure comprising a plastics material to acoustically isolate the transducer from the acoustically-transmissive structural mounting member and providing the bushings as including two main structural respectively providing the opposed portions of the bushings and capable of snap-fit together, which is equivalent with engaging and gripping the edges of the on opposite sides of the transducer. However, Recklinghausen fails to disclose the claimed invention such as the location-defining structure and an acoustically isolating structure, which is a non-elastic polymeric plastic material, hingedly interconnected opposed portion of bushing means and hingedly closing the opposed portions along opposite sides of the transducer. It is not obvious taken alone or in combination of other references fairly to suggest the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Claims 25-29 and 40-44 are allowed.
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul D Kim whose telephone number is 703-308-8356. The examiner can normally be reached on Monday-Friday between 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 703-308-1789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Paul D Kim  
Examiner  
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